

# APPLYING FOR REGISTRATION OF A BODY CORPORATE AGREEMENT – APPLICATION FORM



National  
Native Title  
Tribunal

*Native Title Act 1993 (Cth) (NTA)*

*Native Title (Indigenous Land Use Agreements) Regulations 2024 (Cth) (ILUA Regulations)*

*Native Title (Prescribed Body Corporate) Regulations 1999 (Cth) (PBC Regulations).*

This form should be used for an application for registration made on or after **1 October 2024**

To: Native Title Registrar  
National Native Title Tribunal

**Unless otherwise indicated you must complete all parts of this form. You may attach additional pages if you require more space.**

## PART A – APPLICATION DETAILS

### 1. SHORT NAME OF AGREEMENT

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## PART B – PARTY DETAILS

### 2. FIRST PARTY DETAILS (ss 24BG(1), 199B(1)(b) NTA, s 7(2)(a) ILUA Regulations)

Name		
Contact Name		
Postal address		Postcode:
Telephone Number		
Email address (if available)		
Is this also the party applying for registration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

REPRESENTATIVES NAME, ADDRESS AND TELEPHONE NUMBER <i>(if applicable)</i>		
Company name		
Contact Name		
Postal address		Postcode:
Telephone number		
Email address		
Representative's contact address for notification?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Representative's contact address for Register entry?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
SECOND PARTY DETAILS (ss 24BG(1), 199B(1)(b) NTA, s 7(2)(a) ILUA Regulations)		
Name		
Contact name		
Postal address		Postcode:
Telephone number		
Email address		
Is this party also an applicant?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
REPRESENTATIVES NAME, ADDRESS AND TELEPHONE NUMBER <i>(if applicable)</i>		
Company name		
Contact name		
Postal address		Postcode:
Telephone number		

Email address		
Representative's contact address for notification?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Representative's contact address for Register entry?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>THIRD PARTY DETAILS</b> (ss 24BG(1), 199B(1)(b) NTA, s 7(2)(a) ILUA Regulations)		
Name		
Contact name		
Postal address		Postcode:
Telephone Number		
Email address (if available)		
Is this party also an applicant?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>REPRESENTATIVES NAME, ADDRESS AND TELEPHONE NUMBER</b> (if applicable)		
Company name		
Contact name		
Postal address		Postcode:
Telephone number		
Email address		
Representative's contact address for notification?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Representative's contact address for Register entry?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

## PART C – MANDATORY PARTIES

### 3. REGISTERED NATIVE TITLE BODY/BODIES CORPORATE (RNTBC/s) (s 24BD(1) NTA)

State the RNTBCs that are a party to the agreement:

### 4. GOVERNMENT PARTIES (ss 24BD(2), 24EBA(1)(a)(i) and (ii), (b) and (c), 24EBA(2)–(4) NTA and s 7(2)(c) ILUA Regulations)

Does the agreement make provision for the extinguishment of native title rights and interests by surrendering them to the Commonwealth or a State or Territory government (relevant government)?

Yes ☐ No ☐

Does the agreement validate the purported past extinguishment of native title rights and interests by surrender to the relevant government?

Yes ☐ No ☐

If the answer to either of the above questions is yes, is the relevant government party to the agreement?

Yes ☐ No ☐

If Yes, please identify which party/parties:

## PART D – OTHER PARTIES

### 5. REPRESENTATIVE ABORIGINAL/TORRES STRAIT ISLANDER BODIES (RATSIB) OR NATIVE TITLE SERVICE PROVIDERS (NTSPs) FOR THE AREA (s 24BD(4) NTA and s 7(2)(b) ILUA Regulations)

Are there any RATSIB/ NTSPs for **any** of the area covered by the agreement?

Yes ☐ No ☐

If yes, are any RATSIBs/NTSPs for any of the area a **party** to the agreement?

Yes ☐ No ☐

If yes, please identify which RATSIBs/NTSPs:

#### 6. GOVERNMENT PARTIES (s 7(2)(c) ILUA Regulations)

If not previously identified in question 4, is the Commonwealth, State or Territory government a party to the agreement?

Yes ☐ No ☐

If Yes, please identify which party/parties:

### PART E – INFORMING RATSIBs/NTSPs OF INTENTION TO ENTER AGREEMENT

#### 7. INFORMING RATSIBs/NTSPs OF INTENTION TO ENTER AGREEMENT (s 24BD(4) NTA and s 7(2)(k)(i) ILUA Regulations)

If there is one or more RATSIB(s)/NTSP(s) for any of the agreement area and none are parties to the agreement, has a party that is a RNTBC informed at least one of those bodies of its intention to enter into the agreement?

Yes ☐ No ☐

If yes, please specify which RATSIBs/NTSPs have been informed, how and when they were notified and by whom:

## PART F – AGREEMENT AREA

### 8. COMPLETE DESCRIPTION OF AGREEMENT AREA (s 24BG(2) NTA and s 7(2)(i) and 6 ILUA Regulations)

Provide a 'complete description' of the agreement area, including any areas within the external boundary of the agreement area that are excluded from the agreement area (or refer to relevant section of agreement):

**Note:** a map showing the boundaries of the agreement area must be attached to this application or be contained within the agreement.

### 9. COMPLETE DESCRIPTION OF SURRENDER AREA (s 24BG(2) NTA and s 7(2)(j) and 6 ILUA Regulations)

Does the agreement provide for the surrender of native title that is intended to extinguish native title rights and interests in the agreement area?

Yes ☐ No ☐

If yes, please provide a 'complete description' of those areas (or refer to relevant section of agreement):

## PART G – OPERATING PERIOD

### 10. OPERATING PERIOD (s 7(2)(d) ILUA Regulations)

Does the agreement specify a period during which it will operate?

Yes ☐ No ☐

If applicable, please provide the commencement date here (the commencement date may also be defined by reference to a specified event or activity, e.g. once a determination of native title is made by the Federal Court):

If applicable, please write the end date here (the end date may also be defined by reference to a specified event or activity, e.g. upon completion of a particular project):

Please specify where in the agreement details of the operating period are located:

## PART H – STATEMENTS IN THE AGREEMENT

### 11. CONSENT TO FUTURE ACTS (s 24EB(1)(b) NTA and s 7(2)(f)(i) ILUA Regulations)

Does the agreement contain any statement/s consenting to the doing of a particular future act, or class of acts, whether or not subject to conditions?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement (e.g. clause 5 and 6 plus definitions):

**12. ACTS EXCLUDED FROM THE RIGHT TO NEGOTIATE (s 24EB(1)(c) NTA and s 7(2)(f)(i) ILUA Regulations)**

Does the agreement include any statement/s to the effect that the right to negotiate provisions of the NTA (Part 2, Division 3, Subdivision P of the NTA) are not intended to apply to any or all of the future acts included in the agreement?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement:

**13. SURRENDER INTENDED TO EXTINGUISH NATIVE TITLE (s 24EB(1)(d) NTA and s 7(2)(f)(i) ILUA Regulations)**

Does the agreement provide for the surrender of native title rights and interests in the future?

Yes ☐ No ☐

If yes, does the agreement contain a statement to the effect that the surrender is intended to extinguish native title rights and interests?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement (please also ensure that question 4 has also been completed):

**14. VALIDATION OF FUTURE ACTS THAT HAVE ALREADY BEEN DONE INVALIDLY (s 24EBA(1)(a)(i)–(ii) NTA and s 7(2)(f)(ii) ILUA Regulations)**

Does the agreement provide for the validation of future acts or class of future acts (other than intermediate period acts or the surrender of native title) that have already been done invalidly, whether or not subject to conditions?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement:



**15. INTERMEDIATE PERIOD ACTS AFFECTED (s 24EBA(1)(a)(iii) NTA and s 7(2)(f)(ii) ILUA Regulations)**

Does the agreement provide for changing the effects on native title of the validation of an intermediate period act or class of acts?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement:

**16. VALIDATION OF THE PREVIOUS PURPORTED SURRENDER OF NATIVE TITLE (s 24EBA(1) and (4) NTA and s 7(2)(f)(iii) ILUA Regulations)**

Does the agreement provide for the validation of the extinguishment of native title rights and interests by surrender which has already occurred invalidly?

Yes ☐ No ☐

If yes, does the agreement contain a statement to the effect that the surrender is intended to have extinguished those native title rights and interests?

Yes ☐ No ☐

If yes, please specify where each such statement is located in the agreement (please ensure that question 4 has also been completed):

**17. ANY OTHER COMMENTS ABOUT THE REQUIRED STATEMENTS IN THE AGREEMENT?**

N/A ☐ No ☐

## PART I – PARTS OF THE REGISTER TO BE KEPT CONFIDENTIAL

### 18. CONFIDENTIAL INFORMATION (s 199E(1)-(2) NTA)

Please indicate if there is any information or documents which you do not wish to be available for inspection by the public if the agreement is registered:

**Note:** *the Registrar can only keep information confidential to the extent that the law allows.*

Is the agreement between the parties confidential?

Yes ☐ No ☐

## PART J – REQUIRED DOCUMENTS AND INFORMATION

<b>DOCUMENTS THAT MUST ACCOMPANY THE APPLICATION</b> (s 24BG(2) NTA, s 7(2) ILUA Regulations and reg 9 PBC Regulations)		
	Yes / N/A	Location (clause/schedule) in agreement <i>(if applicable)</i>
<b>A copy of the agreement (the original is not required) including any attachments or appendices (s 24BG(2) NTA).</b>		
<b>A copy of each determination of native title or National Native Title Register extract for each party that is a RNTBC: (s 7(2)(g) ILUA Regulations)</b>		
<b>A statement by each party to the agreement, signed by or for the party, that the party agrees to the application being made: (s 7(2)(h) ILUA Regulations)</b>		
<b>A complete description of the agreement area: (s 7(2)(i) and (6) ILUA Regulations) including:</b> <ul style="list-style-type: none"> <li>any areas within the external boundary of the agreement area that are not included in the agreement area, and</li> <li>a map showing the boundaries of that area.</li> </ul>		
<b>If applicable:</b> <ul style="list-style-type: none"> <li>a complete description of any areas where the surrender of native title is intended to extinguish native title rights and interests in the agreement area and any areas not included, and</li> <li>a map showing that area— (s 7(2)(j) and (6) ILUA Regulations).</li> </ul>		

<p><b>If:</b></p> <ul style="list-style-type: none"> <li>the agreement gives effect to a 'native title decision', and</li> <li>for any part of the agreement area there is one or more RATSIBs or NTSPs, and</li> <li>none of them is party (or there is no RATSIB/ NTSP for the agreement area)—</li> </ul> <p><b>a certificate under Reg 9 of the PBC Regulations (see s 7(2)(n) ILUA Regulations)</b></p>		<p><i>See possible format for such a document at Attachment A below.</i></p>
<p><b>Statement in writing as to whether or not there is any other written agreement made between some or all of the parties to the agreement in connection with the doing of an act to which the agreement relates: (s 7(2)(e) ILUA Regulations).</b></p>		
<p><b>If there is a RATSIB/NTSP for the agreement area and it is not a party, a statement signed by a party that is a RNTBC that at least one RATSIB/NTSP was informed of the intention of the RNTBC to enter into the agreement (s 7(2)(k)(i) ILUA Regulations).</b></p>		

## HOW TO SUBMIT THE BODY CORPORATE AGREEMENT APPLICATION FORM

The completed application form should be emailed to [iluas@nntt.gov.au](mailto:iluas@nntt.gov.au) with any attachments referred to in the form.

If you need assistance submitting this form contact:

- Email: [iluas@nntt.gov.au](mailto:iluas@nntt.gov.au)
- Phone: 07 3052 4040

BCAA1024V4

## ATTACHMENT A – REGULATION 9 CERTIFICATE

### EXPLANATORY NOTE:

If:

- a registered native title body corporate (RNTBC) is party to the agreement, and
- the agreement gives effect to a 'native title decision' as defined in Reg 3 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) (PBC Regulations), and
- for any part of the agreement area there is one or more Representative Aboriginal / Torres Strait Islander Bodies (RATSIBs) or Native Title Service Providers (NTSPs), and
- none of them is a party (or there is no RATSIB/ NTSP for the agreement area),

then your application must be accompanied by a certificate under Reg 9 of the PBC Regulations.

Reg 9(3) provides that **all of** the following information must be included in the certificate:

- the date of the certificate;
- details of the process of making the decision by the prescribed body corporate;
- details (including names) of the persons who participated in the process of making the decision by the prescribed body corporate; and
- details of either:
  - the process of approval under reg 8(8) (standing instructions decisions), or
  - the consultation and consent process with the common law holders.

The Registrar has developed the following template to assist in drafting a Reg 9 certificate. Delete all words in *[square brackets]* and insert relevant details only.

Certification by Prescribed Body Corporate under Regulation 9 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) (PBC Reg)

(the body corporate) certifies that:

*Reg 9(3)(b) Details of the process of making the decision*

AND

*Reg 9(3)(c) Details (including names) of the persons who participated in the process of making the decision*

\_\_\_\_\_  
Choose only the applicable option from the drop down below

*Reg 9(3)(a) Date of the certificate:*

Executed by the body corporate in accordance with subsection 99-5(1) or (2) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth):

_____ PRINT NAME	_____ POSITION	_____ SIGNATURE
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_____ PRINT NAME	_____ POSITION	_____ SIGNATURE
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[OR] Signed by the chief executive officer of the body corporate:

_____ PRINT NAME	_____ SIGNATURE
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